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U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

STEPHEN P. KELLY
412 N. FRONT STREET, #304
TOWNSEND, MT 59644

Plaintiff,

vs.

KAY BURNINGHAM, in her official capacity,
and LAURA A. GADDY, JOINTLY
299 S. Main St., Ste. 1375
Salt Lake City, UT 84111

Defendant(s).

Case No.:

**COMPLAINT FOR THE DECLARATORY
JUDGMENT, INJUNCTIVE RELIEF,
AND COMPLAINT FOR MONATARY RELIEF**

Comes now the Plaintiff in the above styled action and does show cause for complaint as follows:

(1) This is an action sustained by, **STEPHEN P. KELLY**, hereinafter, plaintiff **KELLY**, and sues the defendants jointly, **KAY BURNINGHAM**, in her official capacity, and **LAURA A. GADDY**, alleging: (a) unlawful concealment, and (b) fraudulent deprivation of a class action.

NATURE OF THE CASE

(2) This concise case is predicated on the deprivation to join a class action pursuant to **F. R. C. P. 23**.

PARTIES

(3) Plaintiff **STEPHEN P. KELLY**, exists as a former member of the Church of Jesus Christ of Latter-Day Saints, and obtained office of priest.

(4) He is similarly situated, as the same of Laura A. Gaddy, and obtains the same exact injury and damage as Gaddy.

(5) Defendant **KAY BURNINGHAM**, is a Salt Lake City attorney, and exists as the official attorney of record in the captioned matter of Gaddy vs. Corporation of the president of the Church of Jesus Christ of Latter-Day Saints. Case numeration: #2:19-cv-00554-RSS-DBP.

(6) Defendant **LAURA A. GADDY**, exists as the sole plaintiff party, in the captioned matter of Gaddy vs. Corporation of the president of the Church of Jesus Christ of Latter-Day Saints. Case numeration: #2:19-cv-00554-RSS-DBP.

JURISDICTION AND VENUE

(7) This court obtains jurisdiction over this case based upon diversity of citizenship, where the parties are citizens of different states. **28 u.s.c. § 1332**.

(8) Plaintiff **STEPHEN P. KELLY**, is a resident of the state of Montana, and has resided in Montana at all times material to this action.

(9) Defendant **KAY BURNINGHAM**, obtains her principal place of business in Salt Lake City, Utah, and has resided in the state of Utah at all times material to this action.

(10) Defendant **LAURA A. GADDY**, is a resident of the state of Utah, and has resided in Utah at all times material to this action.

(11) Venue is proper in the District of Utah because each event giving rise to this action accrued in the District of Utah. **28 u.s.c. § 1391.**

STATEMENT OF FACTS

(12) Plaintiff **KELLY**, is a former member of the Church of Jesus Christ of Latter-Day Saints, and obtained the office of priest as such. **(See copy of Priesthood documentation).**

(13) Plaintiff **KELLY**, in fact sustained suitable injury, (the same as **Gaddy**), where directly after he was called to the office of priest on July 7th, 2019, he was in fact directed to attend the Billings temple at the hands of Bishop Alan Hansen, presiding over the Helena sixth ward, and was directed by Bishop Hansen, to conduct a temple of ordinance, known to the L.D.S. church as “baptism for the dead”!

(14) Immediately following, plaintiff **KELLY’S** performance of baptizing a deceased youth, he was further directed to enter into an additional ordinance room, and witness an official confirmation of the same deceased youth at which he had baptized, as performing the confirmation were three high priests, George Hariss, Chad Adams, and Mike Christensen, all of the Helena sixth ward.

(15) Immediately, upon departing the Billings temple, plaintiff **KELLY**, commenced into hearing loud “satanic” voices, experienced existential crises, severe anxiety, severe depression, and later that evening during his sleep, plaintiff **KELLY**, in fact suffered severe nightmares, consisting of that he was placed into a spiritual realm, (**HELL**), all stemming from this terrible temple visit!!

(16) As a sixteen year member of the Church of Jesus Christ of Latter-Day Saints, plaintiff **KELLY**, has in fact suffered during the past five years, injury as the same as Gaddy, existing of existential crises, severe anxiety, severe depression, and also numerous previous nightmares.

(17) Church leaders, had in addition advised plaintiff **KELLY**, that he would in fact

become a **(GOD)** of his own, at a later time of learning more about the church, and once he would enter into **(spiritual paradise)**, as the churches, "doctrine and covenant's" manual falsely teaches!

(18) Defendant **BURNINGHAM**, exists as the official attorney of record over the Laura A. Gaddy lawsuit against the L.D.S Church, and upon the face of the official civil complaint, defendant **BURNINGHAM**, in fact construed the phrase, Laura A. Gaddy, individually and on behalf of (all others similarly situated), brought pursuant to a class action under **F. R. C. P. 23**.

(19) Defendant **BURNINGHAM**, cites civil statutory provisions based upon the federal **(RICO)** Act, racketeering, corrupt organization **18:1962**, at which such cases are usually filed at the hands of U.S. attorneys / federal prosecutors upon the criminal aspects of law.

(20) Defendant **BURNINGHAM**, jointly with defendant **GADDY**, are in fact attempting to conceal, and keep for self, the class action suit, at which all are similarly related, and which are lawfully entitled to relief, once either: **(a)** a suitable settlement is reached, or **(b)** a civil judgment is entered awarding all members of the class a sum and financial portion of monies as such.

(21) Plaintiff **KELLY**, has in fact furnished quality verification of his former membership to the L.D.S. Church, to defendant **BURNINGHAM**, and has requested to join the class, as defendants **BURNINGHAM**, and **GADDY**, most falsely, and fraudulently claim that (all others similarly situated), are entitled to join the class, and to obtain financial relief as such!

(22) Pursuant to federal legislation, and to the official federal rules of civil procedure, once a class action suit is filed on behalf of all others similarly situated, then the on hands attorney whom which filed the action is most certainly (lawfully obligated), in which to ensure that: **(a)** that each of those parties entitled, are placed into the class action, and **(b)** that financial relief be distributed out to those whom which are also entitled.

to deprive plaintiff of a lawful right in which to join the class filed per defendants,

(c) enter judgment awarding plaintiff with actual damage awards in an amount of \$300,000.00, and

(d) enter judgment awarding plaintiff punitive damage awards in an amount of \$500,000.00.

JURY TRIAL REQUESTED

I declare under penalty of perjury, the foregoing to be true and correct.

Signed this 1st day of June, 2020.

Stephen P. Kelha
(Signature of Plaintiff)